Case 09-09788 Doc 1 Filed 03/23/09 Entered 03/23/09 11:43:18 Desc Main Document Page 1 of 10

			United No			ruptcy of Illino					Voluntary	Petition
Name of De Anderso	ebtor (if ind on, Cathy		er Last, Firs	t, Middle):			Namo	e of Joint De	ebtor (Spouse	e) (Last, First	t, Middle):	
All Other Na (include man				t 8 years					used by the , maiden, and		in the last 8 years	
Last four dig	one, state all)	Sec. or Indi	vidual-Tax <sub>l</sub>	oayer I.D. (	(ITIN) No./	Complete E	IN Last 1	our digits one, s	of Soc. Sec. or state all)	r Individual-	Taxpayer I.D. (ITIN) N	o./Complete EIN
Street Addre	ess of Debto Mannhei		Street, City,	and State)	):	am c .i		Address of	f Joint Debtor	r (No. and St	treet, City, and State):	am a i
					Г	ZIP Code <b>60154</b>	· ·					ZIP Code
County of R Cook	esidence or	of the Prin	cipal Place	of Busines	s:		Coun	ty of Reside	ence or of the	Principal Pl	ace of Business:	
Mailing Add	dress of Deb	otor (if diffe	rent from st	reet addres	ss):		Maili	ng Address	of Joint Debt	tor (if differe	ent from street address):	
						ZIP Code	;					ZIP Code
Location of (if different				or								
☐ Corporat	(Form of C (Check al (includes ibit D on pa tion (include	ge 2 of this es LLC and	form. LLP)	Sing in 1 Rail Stoo	(Check lith Care Bugle Asset Ro 1 U.S.C. §	eal Estate as 101 (51B)		Chapt Chapt Chapt Chapt Chapt	the 1 ter 7 ter 9 ter 11 ter 12	Petition is F	ptcy Code Under Whi- iled (Check one box)  Chapter 15 Petition for R f a Foreign Main Proceed Chapter 15 Petition for R f a Foreign Nonmain Pr	decognition eding decognition
Other (If check this	debtor is not s box and stat	e type of enti	ity below.)	und Cod	Tax-Exe (Check box otor is a tax- er Title 26	empt Entity c, if applicable exempt orgof the Unite and Revenu	e) ganization ed States	defined	are primarily co d in 11 U.S.C. { red by an indiv onal, family, or	(Checonsumer debts § 101(8) as idual primarily	busin y for	s are primarily ess debts.
is unable	ee to be paid gned applic to pay fee	thed  in installmation for the except in irequested (approximation)	e court's constallments.	cable to inc sideration Rule 1006 chapter 7 i	certifying t (b). See Offi ndividuals	hat the debicial Form 3A only). Must	tor Chec	Debtor is k if: Debtor's to insider k all applica A plan is Acceptan	a small busin not a small b aggregate nor s or affiliates; able boxes: being filed w ces of the pla	ncontingent land are less that with this petition were solicited.	s defined in 11 U.S.C. § or as defined in 11 U.S. liquidated debts (excludin \$2,190,000.	ing debts owed
Debtor e	stimates tha	nt funds will nt, after any	l be available exempt pro	perty is ex	cluded and	administrat		es paid,		THIS	S SPACE IS FOR COURT	USE ONLY
Estimated N  1- 49	Tumber of C	reditors  100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000			
Estimated A  \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,00 to \$500 million	1 \$500,000,001 to \$1 billion				
Estimated Li \$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1	\$1,000,001 to \$10	\$10,000,001 to \$50	\$50,000,001 to \$100	\$100,000,000 to \$500	1 \$500,000,001 to \$1 billion				

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Page 2 Name of Debtor(s): Voluntary Petition Anderson, Cathy L. (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) (To be completed if debtor is required to file periodic reports (e.g., I, the attorney for the petitioner named in the foregoing petition, declare that I forms 10K and 10Q) with the Securities and Exchange Commission have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. X /s/ William J Moroney March 23, 2009 Signature of Attorney for Debtor(s) (Date) William J Moroney 6186591 Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ☐ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. П Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

B1 (Official Form 1)(1/08)

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## **Voluntary Petition**

(This page must be completed and filed in every case)

#### Signatures

## Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

## X /s/ Cathy L. Anderson

Signature of Debtor Cathy L. Anderson

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

March 23, 2009

Date

#### Signature of Attorney\*

## X /s/ William J Moroney

Signature of Attorney for Debtor(s)

#### William J Moroney 6186591

Printed Name of Attorney for Debtor(s)

#### Feld & Korrub, LLC

Firm Name

29 South LaSalle Street Suite 328 Chicago, IL 60603

Address

#### 312-263-2100 Fax: 312-263-9838

Telephone Number

## March 23, 2009

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

#### Signature of a Foreign Representative

Page 3

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

Anderson, Cathy L.

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

7	v
7	١

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

## Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

<b>T</b>	

Date

Address

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

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B 1D(Official Form 1, Exhibit D) (12/08)

## **United States Bankruptcy Court** Northern District of Illinois

		1 (01 0110111 2 1001100 01 11111010	
In re	Cathy L. Anderson	Case No.	
		Debtor(s) Chapter	7

## EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.] \_\_\_\_

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

□ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]

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B 1D(Official Form 1, Exhibit D) (12/08) - Cont.
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or
through the Internet.);
☐ Active military duty in a military combat zone.
☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: // / Cathy L. Anderson Cathy L. Anderson
Date: March 23, 2009

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

# NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

## 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

## 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

## Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

**B 201** (12/08)

William J Moroney 6186591

- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

## **Chapter 11:** Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

## Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

## 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

## **Certificate of Attorney**

X /s/ William J Moroney

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Printed Name of Attorney	Signature of Attorney	Date
Address:		
29 South LaSalle Street		
Suite 328		
Chicago, IL 60603		
312-263-2100		
	Certificate of Debtor	
I (We), the debtor(s), affirm that I (we) have re		
		March 23, 2009
I (We), the debtor(s), affirm that I (we) have re	ceived and read this notice.	<b>March 23, 2009</b> Date
$I\ (We), \ the\ debtor(s), \ affirm\ that\ I\ (we)\ have\ re$ Cathy L. Anderson	ceived and read this notice.  X /s/ Cathy L. Anderson	,

March 23, 2009

Page 2

Allied Interstate P.O. Box 2455 Chandler, AZ 85244-4377

Asset Acceptance P.O. Box 2039 Warren, MI 48090-2036

Bank of Hoven PO Box 38 Hoven, SD 57450-0038

Cash Advance 515 G S.E. Miami Miami, OK 74354

Cash Net 515G S.E. Miami Miami, OK 74354

Certegy Check Services P.O. Box 30272 Tampa, FL 33630-3272

Comcast c/o Credit Management 17070 Dallas Pkwy Dallas, TX 75248

Comcast Cablevision PO Box 13937 Philadelphia, PA 19101-3937

Complete Credit Solution 2921 Brown Trail Bedford, TX 76021

Continental Finance Co P.O. Box 11743 Wilmington, DE 19850

Data Operations P.O. Box 2455 Chandler, AZ 85244 DHS 100 S. Grand Avenue E Springfield, IL 62762

Direct TV PO Box 78627 Phoenix, AZ 85062

First Bank of Delaware 1608 Walnut Street, Ste 1000 Philadelphia, PA 19103

Friedman & Wexler, LLC 500 W. Madison, Suite 2910 Chicago, IL 60661-2587

Impact 2560 Industry Way, Suite G Lynwood, CA 90262

Internal Revenue Service Centralized Insolvency Operations P.O. Box 21126 Philadelphia, PA 19114-0326

JP Morgan Chase Bank Attn: Bankruptcy Dept. P.O. Box 24603 Columbus, OH 43219

Loan Shop 227 Continental Pike Wilmington, DE 19803

Midwest Titlle Loans , Inc. 3145 N. Mannheim RD Franklin Park, IL 60131

NICOR
Bankruptcy & Collections
PO Box 549
Aurora, IL 60507

Oak Park Hosptial 520 S. Maple Ave #800 Oak Park, IL 60204

Ralph Ambrosino, DDS 3 Westbrook Corporation Westchester, IL 60154

TJ Maxx of IL, LLC P.O. Box 9146 Framingham, MA 01701

Total Lenders, Inc. 8700 State Line Rd, #305 Leawood, KS 66026

U.S. Auto Title Lenders 2922 N. Clark Chicago, IL 60657

US Department of Education Direct Loan Servicing Center P.O. Box 5609 Greenville, TX 75403-5609

Washington Mutual Bank P.O. Box 4024 Pasadena, CA 91109